

REMARKS

This is in response to the Office Action mailed on November 2, 2007. Claims 1, 10, 11, and 25-29 were pending and were rejected. Claims 1, 10, and 11 are presently amended. In light of the arguments and comments below, reconsideration and allowance of the present application are respectfully requested.

Acknowledgement of Information Disclosure Statement

As a preliminary matter, Applicant requests that the Examiner acknowledge that the references cited in the Supplemental Information Disclosure Statement filed October 11, 2007 have been considered. For the Examiner's convenience, copies of the Supplemental Information Disclosure Statement and the Electronic Acknowledgement Receipt are enclosed herein.

Claim Rejections – 35 U.S.C. §102

In the Office Action, the Examiner rejected claims 1, 10, 11, 25-29 under 35 U.S.C. §102(e) as being anticipated by *Burkey* (U.S. Patent Application Publication No. 2004/0143573). Applicant submits that the *Burkey* publication fails to serve as a valid prior art reference under 35 U.S.C. § 102(e). The filing date of the *Burkey* application is December 29, 2003, whereas the priority date of the present application is November 12, 1998. A corrected filing receipt has been obtained for this application which now properly shows priority to provisional application Serial No. 60/115,515 filed November 12, 1998. Additionally, an amendment to the specification is offered which recites the correct priority claim to this provisional application.

The continuation application to which the *Burkey* application claims priority, Serial No. 09/195,875, also fails to serve as prior art available for use under 35 U.S.C. § 102(e), being filed on November 19, 1998. The provisional application to which Serial No. 09/195,875 claims priority, Serial No. 60/110,818, also does not provide *Burkey* with an earlier priority date, because Serial No. 60/110,818 was filed the same date, November 12, 1998, not before the priority date of the present application as required by 35 U.S.C. § 102(e).

Therefore, because the *Burkey* reference does not claim priority to an application filed before the priority date of the present application, *Burkey* cannot serve as §102(e) prior art. Applicant respectfully requests the withdrawal of the rejection under §102(e).

Claim Rejections – 35 U.S.C. §103

In the Office Action, the Examiner rejected claims 1, 10, 11, 25-29 under 35 U.S.C. §103(a) as being unpatentable over *Bergh* (U.S. Patent No. 6,112,186) in view of *Sumita* (U.S. Patent No. 5,907,836) in view of *King* (U.S. Patent No. 6,452,614). Additionally, the Examiner rejected claims 1, 10, 11, 25-29 under 35 U.S.C. §103(a) as being unpatentable over *Bergh* in view of *Sumita* in view of *King* in view of *Arellano* (U.S. Patent Publication No. 2004/0128624) or *Rose* (U.S. Patent No. 6,202,058).

Applicant respectfully disagrees with the Examiner's assessment of the cited references, and submits that the cited references, each alone or in combination, do not teach or suggest all of the limitations of the amended claims as required by MPEP § 2143. As explained below, significant differences exist between the cited references and numerous claimed features of the present invention, particularly the features involving personal information data and user profiles. Additionally, the Applicant submits that there is no suggestion, teaching, or motivation to combine the teachings of the cited references as provided by MPEP § 2143.01.

User Profile Personal Information Rules/Restrictions

Claims 1, 10, and 11 have been amended to more clearly indicate the contents of the personal information data which is stored within each user profile. As recited by the presently claimed invention, each user profile contains personal information data including "direct user inputs, information based on the use of the product/service rating information, a profile field, and a profile restriction, wherein the profile field contains detailed personal information of a user associated with the user profile and the profile restriction contains rules in the form of a pattern to restrict the rules to certain uses". The Examiner has acknowledged that *Bergh* does not disclose this feature, but alleges that that the *King* reference does. However, in no instance of *King* are "rules" or "patterns" disclosed, nor is any similar rule-based functionality taught or suggested.

In contrast, the *King* reference merely mentions restricting access to certain types of stored information by controlling navigation in a user interface. This teaching discloses little more than filtering which data is displayed to a user. In contrast, the data stored in the user profile of the presently claimed invention "contains rules in the form of a pattern," which more

accurately generates and displays a personalized product report based on data from the user profile.

Additionally, *King's* disclosure of different personas for a user where each persona has different restrictions and capabilities is not relevant or analogous to the claimed rules existing in the form of a pattern. The use of different personas such as "Master Persona", "Bill Payer", and "House Buyer" in *King* determines whether to display all available information to a user (such as in a "master" role) or to display only a subset of available information. As discussed above, this teaching is mere filtering of data displayed to the user. Viewing the reference as a whole, the disclosure of personas, user profiles, and user information in the context of the *King* disclosure is not comparable to the data processing, grouping, and storage activities being performed to produce robust personal information data in the presently claimed invention.

Grouping Each User Record into User Personas

As recited by the presently claimed invention, each of the user profiles for each user record is "grouped into the user personas, each being related to a unique, useful context such that at least one of the user profiles is grouped in at least two user personas wherein a first subset of users from the plurality of users have each submitted product/service rating data for at least one product or service." This feature of grouping employed in the larger claimed invention helps locate persons who have the closest match to the user's profile, ensuring that product reports eventually sent back to the user only contain statistics from people who are similar to that user.

The Office Action does not specifically address this grouping functionality in the claimed invention, stating that "it would be obvious that *Bergh's* multiple domains and profiles for a single user can function as personas and profiles for the user." The mere disclosure of multiple personas as in *King*, and the disclosure of multiple domains in *Bergh*, however, do not teach or suggest the action of grouping user profiles into useful and unique user personas as claimed in the present invention.

Similarly, the citation of the *Arellano* and *Rose* references fails to address the grouping functionality claimed in the present invention. The motivation cited by the Examiner to combine *Arellano* or *Rose* with *Bergh*, "to partition the user profiling/modeling space into more manageable pieces," is not relevant to the grouping functionality, nor does it accomplish the

same function of this limitation of the claimed invention, to obtain more accurate user profile matching. The claimed invention expressly states that the grouping occurs in a “unique, useful context”, to produce a unique and useful result, without regard to analysis of the user profiles in “manageable pieces.”

Mapping Personal Information Data Along Multiple Dimensions

As recited in the presently claimed invention, the personal information data is mapped “in the first set of user profiles along multiple dimensions to the personal information data in the user profile of the requesting user.” This feature of mapping personal information data in multiple dimensions is not taught or suggested by *Bergh*. Although *Bergh* discloses calculating a “similarity factor” and “degree[s] of correlation” between two user profiles, it does not teach or suggest a mapping functionality, nor the mapping of personal information data contained in the user profile among multiple dimensions.

Also, as claimed in the present invention, the personal information data being mapped along multiple dimensions includes direct user inputs and information based on use of the product/service rating information. The collection and mapping of product/service use information and rating information provided directly by the user in the presently claimed invention is integral to providing a more accurate and complete representation of the user in the user profile. The cited references fail to teach or suggest the mapping or transformation of this data, much less the mapping of this data along multiple dimensions.

Filtering and Determining Similarity of User Profiles

The Office Action cites numerous and lengthy passages of *Bergh* and *Sumita* which purportedly teach the claimed features of filtering and determining similarity of user profiles. These passages, which may suggest various similarity operations being performed on sets of data, do not teach each claimed limitation of the filtering, determining, and repeating steps in their entirety. The Applicant wishes to draw particular attention to each of the recited operations being performed on user profiles. The characteristics of the user profile in the presently claimed invention includes a set of personal information data, data which is accordingly considered when filtering and determining the similarity of user profiles. None of the cited art nor the passages

recited in the office action address the similarity operations which are being performed on the personal information data contained within the user profile.

The Office Action admits that *Bergh* does not teach repeating filtering and determining steps automatically when the results are not sufficiently similar. *Sumita* also fails to teach or suggest this feature. The portions of *Sumita* cited in the Office Action do not address any automatic functionality referring to actions involving user profiles. Particularly, Col. 68, lines 6-21 of *Sumita* refers to changing “retrieving conditions”, not repeating the steps of filtering and determining if the second set of user profiles is not determined to be sufficiently similar; Col. 56, lines 1-10, and 50-55 refer to a user changing some similarity threshold setting, which is clearly not an automatic process; and Col. 28, lines 44-67 refers only to repeating the steps of article retrieving, not the steps of filtering and determining user profiles. Moreover, as discussed below, the complete lack of teaching of any operations on a user profile in *Sumita* demonstrates the *Sumita* reference is not properly combinable with *Bergh* to serve as §103 prior art.

Based on the reasons above demonstrating a lack of teaching or suggestion for at least the above-discussed limitations in the cited references, Applicant respectfully requests the removal of the rejection under § 103 for claims 1, 10, and 11.

Combinability of the Bergh, King, and Sumita References

Additionally, there is no teaching, suggestion, or motivation to combine the *Bergh*, *King*, and *Sumita* references. Applicant respectfully submits that although the Office Action purports to recite each element of the claimed invention from one or more of the references, the lack of a motivation to combine these references renders moot the obviousness rejection of the claims under § 103.

Viewing the *King* reference as a whole, including its title, “Organizing a user interface using different personae”, there is no teaching, suggestion, or motivation to combine its disclosure with the *Bergh* reference. As discussed above, *King* discloses displaying and controlling user access to defined subsets of data. The control of an information display to various types or classes of users is not similar or analogous to performing operations on personal data collected about various users and user profiles.

While a broad reading of *Bergh* may suggest relevance to analysis and similarity for data collected about users, virtually no data processing activities are disclosed by *King*. *King* fails in its entirety to teach or suggest the features of storing, analyzing, or restricting personal information data collected about users, and any similar concepts therein, rendering no motivation to combine its teachings with the *Bergh* reference.

Likewise, Applicant submits that there is no teaching, suggestion, or motivation to combine the *Sumita* reference with *Bergh*. Although some data processing activities such as information filtering and retrieval are disclosed by *Sumita*, such filtering and retrieval is only performed on text and images being presented to a user based on a user profile, rather than the claimed invention's information filtering and retrieval activities being performed directly on the user profile data. The presently claimed invention does not attempt to match product and service rating information *per se*, but rather attempts to match user profiles in an attempt to provide the most relevant rating information to the user. *Bergh* is likewise concerned with similarity of users, not necessarily the similarity of information presented to a specific user. Accordingly, there is no motivation to combine the teachings of *Sumita* with the *Bergh* reference.

Applicants respectfully submit that one of ordinary skill in the art would not have been motivated nor have reason to combine the teachings of the cited references to achieve the presently claimed invention. Applicant respectfully requests the removal of the rejection under §103 for claims 1, 10, and 11.

Dependent Claims 25-29

Claims 25, 26, and 28 recite the functionality of mapping personal information data based on pattern matching. Although the Office Action cites three locations of *Bergh* which purportedly disclose this feature (col 6, line 33-col 7, line 7; col 4, lines 51-55; col 12, lines 15-31), in no instance of *Bergh* is any pattern matching or equivalent concept taught or suggested. Further, the discussions throughout pages 9-17 of the Office Action regarding results returned based on a "threshold" disclosed in *Bergh* and *Sumita* are not relevant to the pattern matching feature claimed in Claims 25, 26, and 28.

The Office Action also fails to directly address the claimed feature of users accessing user profiles through intention-centric interfaces as in Claims 27 and 29. Applicant does not

understand how the recital of different interfaces displayed for “different domains” in *Bergh* corresponds to the feature of providing an “intention-based interface.” Applicant respectfully submits that the concept of user domains as disclosed in *Bergh* does not teach or suggest interface functionality related to user intentions as claimed in the present invention.

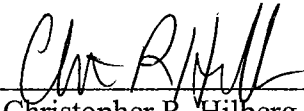
Accordingly, Applicant respectfully requests the removal of the rejection under §103 for dependent claims 25-29.

CONCLUSION

For at least the reasons above, Applicants respectfully request removal of the rejections and for favorable action and allowance of the application. If the Examiner believes that a telephone conference would be of value in expediting the prosecution of this application, the Examiner may reach the undersigned at (612) 607-7237.

Should any additional fees be necessary, the Commissioner is hereby authorized to charge or credit any such fees or overpayment to Deposit Account No. 50-1901 (Reference 60021-302901).

Respectfully submitted,

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Electronic Acknowledgement Receipt

EFS ID:	2309212
Application Number:	09196338
International Application Number:	
Confirmation Number:	9014
Title of Invention:	A PERSONALIZED PRODUCT REPORT
First Named Inventor/Applicant Name:	SEAN HANDEL
Customer Number:	29838
Filer:	Christopher R. Hilberg/Debra Bruck
Filer Authorized By:	Christopher R. Hilberg
Attorney Docket Number:	60021-302901
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Filing Date:	19-NOV-1998
Time Stamp:	16:37:13
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement Letter	Supplemental_Information_Disclosure_Statement.pdf	99883 58ae864c3f31d240a2c8519303cae99feb0cfecl	no	3

Warnings:

Information:					
2	Information Disclosure Statement (IDS) Filed	PTO_Form_1449.pdf	34941	no	1
			e65cbe5c6f2187edde04e96a31c152b610481276		
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
Total Files Size (in bytes):			134824		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Sean Handel	
Serial No:	09/196,338	Conf. No. 9014
Filed:	November 19, 1998	Group Art Unit: 3622
Title:	A PERSONALIZED PRODUCT REPORT	Examiner: A. Duran
Docket No:	060021-302901	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. § 1.56, § 1.97 and § 1.98, Applicant brings the references listed on the attached Form PTO-1449 to the examiner's attention. These references may be material to examination of the above-identified application. Please do not construe the filing of this information disclosure statement as a representation that applicant has made a search (37 C.F.R. § 1.97(g)), or as an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

This Information Disclosure Statement is being submitted:

- ☒ 1. Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first office action on the merits, or before the mailing of a first office action after filing of a request for continued examination under 37 CFR 1.114, and therefore, Applicant believes no fee is required;
- ☐ 2. After the period specified in paragraph (1) hereinabove of this section, but is being filed before the mailing date of either a final action under 37 CFR 1.113, or a notice of

allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and is accompanied by one of the following:

☐ (a) A statement that either:

- (i) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;

OR

- (ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement;

OR

☐ (b) The fee of \$180 for filing of an Information Disclosure Statement as set forth in 37 C.F.R. 1.17(p).

☐ 3. After the period specified in paragraph (2) of this section, but is filed on or before payment of the issue fee and is accompanied by both:

☐ (a) A statement that either:

- (i) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;

OR

- (ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement;

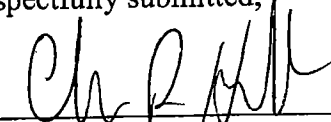
☐ (b) The fee of \$180.00 for filing of an Information Disclosure Statement as set forth in 37 CFR 1.17(p).

Applicant would appreciate the Examiner initialing and signing a copy of Form PTO-1449, transmitted herewith, indicating that the information has been considered and made of record herein.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 50-1901** referencing order number 60021-302901.

Respectfully submitted,

By



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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

SUBSTITUTE FOR FORM 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. 060021-302901	SERIAL NO. 09/196,338
	APPLICANT Sean Handel	
	FILING DATE November 19, 1998	GROUP 3622

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number- Country Code-Number Kind Code	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		US-5,388,198	02-07-1995	Layman et al.	
		US-5,465,358	11-07-1995	Blades et al.	
		US-5,652,850	07-29-1997	Hollander	
		US-5,675,753	10-07-1997	Hansen et al.	
		US-5,812,847	09-22-1998	Joshi et al.	
		US-5,890,152	03-30-1999	Rapaport et al.	
		US-5,907-706	05-25-1999	Brodsky et al.	
		US-5,973,686	10-26-1999	Shimogori	
		US-5,974,253	10-26-1999	Nahaboo et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.